



August 5, 2016

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VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Protecting the Privacy of Customers of Broadband and Other Telecommunications
Services, WC Docket No. 16-106**

Dear Ms. Dortch:

On August 3, 2016, Catherine Hilke of Verizon, Joe Cohen of Pillsbury Winthrop Shaw Pittman LLP on behalf of the VON Coalition, Brita Strandberg and Adrienne Fowler of Harris, Wiltshire and Grannis, and the undersigned on behalf of Level 3, met with Lisa Hone, Dan Kahn, Melissa Kinkel, Sherwin Siy, and Heather Hendrickson of the Wireline Competition Bureau to discuss harmonization of the Commission's proposed privacy rules for broadband services with the CPNI obligations placed on voice providers in the context of business customer relationships.

We explained, consistent with the comments of Level 3, Verizon, and the VON Coalition, that the Commission has recognized in its definition of broadband Internet access service that business customers have fundamentally different privacy-related needs, expectations, and degrees of bargaining power than individual, mass-market consumers. The Commission should harmonize its voice and broadband privacy rules to reflect this fact, and exempt the provision of services to all business customers, including wholesale and enterprise customers, from subpart U of the Commission's rules in order to give wholesale and enterprise service providers flexibility in how they meet their statutory obligations to protect customer privacy within the framework of the plain language of Section 222 of the Communications Act. Such an approach would allow businesses to tailor how a telecommunications service provider protects their privacy and data specifically to their individual needs.

In response to questions from the Commission staff, we agreed that it would be reasonable for the Commission to adopt a general rule that requires carriers to address customer choice, transparency, data security, and data breach notification when selling to business customers so long as that rule does not specify how carriers are obligated to meet that requirement.

Sincerely,

/s/ Nicholas G. Alexander
Nicholas G. Alexander

cc: Lisa Hone
Dan Kahn
Melissa Kinkel
Sherwin Siy
Heather Hendrickson